

REMARKS

Claim Addition. Claim 21 has been added to the application. The subject matter contained in this new claim is properly supported in the specification. In addition, no new matter is being set forth.

1. *Claim Rejections -- 35 U.S.C. § 103*

Claims 1-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Exhibit U in view of United States Publication No. 2004/0181468 to Harmon et al. Applicant appreciates the concerns raised by the Examiner, but respectfully submits that in light of the arguments presented below, neither Exhibit U nor Harmon, either individually or collectively, render the claims of the present invention obvious.

With respect to independent claims 1 and 19, applicant submits that the combination of Exhibit U and Harmon does not teach or suggest a method or system for raising funds for a charitable cause as recited in these claims. Specifically, the combination of Exhibit U and Harmon does not teach or suggest a healing field comprised of a plurality of flags that is, at least in part, expressive of the charitable cause. In other words, the healing field may provide some type of visible outward expression of the charitable cause. For example, this may be in the type of flags used, the particular arrangement or pattern in which the flags are positioned, etc.

On the other hand, Exhibit U teaches and suggests a permanent location as argued in the previous response. See Applicants Amendment and Response mailed June 23, 2008. Although Exhibit U indicates that there is a display of flags, there is nothing further to teach or suggest that these flags make up a healing field that is, at least in part, expressive of the charitable cause, which in this case is assisting troops across the country as indicated by the Examiner. And, a combination of Exhibit U with Harmon fails to make up for this deficiency as Harmon does not teach or suggest this element. Rather, Harmon teaches an electronic system and method for selling items, where part of the proceeds of the sale of such items are provided to an identified charity. The system and method in Harmon are more akin to an online store. Upon review of Harmon, it is clearly taught therein that the display of items is merely accomplished electronically on a computer with transactions taking place in an electronic marketplace, much like any prior art online store. See Harmon, pg. 2, paragraph 0024 which states, "...The system 10 includes a number of buyer/seller computers 12 and at least one exchange computer 14. The buyer/seller

computers 12 are the computers of individual participants in an electronic marketplace established by the system 10.”. Harmon further states that “the function of funding a charity or a group of charities is ancillary to the primary function of trading items in system 10.” See Harmon, pg. 2, par. 0026. Moreover, the “items” taught by Harmon are various consumer goods that are preferably “high in demand,” such as sporting or concert tickets, in order to facilitate the goal of reselling the items at a higher price, which is the focus of the teachings in Harmon, and which is the intended function of the system and method therein. See Harmon, pg. 3, par. 0030. Indeed, the items may comprise various items that can command a price, which items are simply displayed over a computer network for the purpose of allowing users of the system to buy, resale and trade such items. As such, there is nothing even remotely suggested about these “items” or the way they are electronically displayed being expressive of the identified charity. As indicated above, the function of funding a charity is ancillary. Based on this, applicant submits that Harmon does not make up for the deficiency of Exhibit U, and that the combination of Exhibit U and Harmon do not teach the elements of independent claims 1 and 19.

The combination of Exhibit U and Harmon also does not teach or suggest linking a display of the healing field to the charitable cause, which linking is carried out using a public awareness campaign designed to educate others and provide sponsorship of the healing field and at least some of the plurality of patriotic flags prior to their display with at least a portion of proceeds being donated to the charitable cause in need of funding. Rather, Exhibit U teaches a permanent memorial where individuals can purchase bricks in support of the troops. However, there is nothing to suggest that prior to the display of the bricks or the flags, a public campaign is initiated to obtain sponsors of individual flags that are specifically intended for use in a temporary healing field. The reference to Harmon is silent on a public campaign and sponsorship scenarios. As such, the combination of Exhibit U and Harmon fail to teach this element of the claims.

The combination of Exhibit U and Harmon also does not teach or suggest displaying the healing field as part of the public awareness campaign, the plurality of patriotic flags being arranged as a group in a layout so as to stimulate an emotional response within individuals viewing the healing field, which emotional response is associated with the charitable cause. Again, Exhibit U simply teaches a display of flags (much like any display of flags), but does not teach that the display is to be specifically arranged so as to stimulate an emotional response

associated with the charitable cause. Harmon does not make up for this deficiency as Harmon merely displays various consumer goods within an electronic marketplace as discussed above.

Dependent claims 2-18 and 20 place further limitations on independent claims 1 and 19, which are argued above as being allowable. As such, applicant submits that these claims also stand in a condition for allowance.

Based on the foregoing, Applicant submits that the prior art does not render the claims of the present invention obvious. As such, Applicant respectfully requests that the claims of the application be reconsidered and that the rejection under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

Based on the foregoing, Applicant respectfully submits that the deficiencies in the application have been corrected and that the proposed claims are neither anticipated nor rendered obvious by the prior art references cited by the Examiner. As such, Applicant believes that the application is now in a condition for allowance, and action to that end is respectfully requested.

If any impediments to the allowance of this application for patent remain after the above amendments and remarks are entered, the Examiner is invited to initiate a telephone conference with the undersigned attorney of record.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 20-0100.

DATED this 12th day of November, 2008.

Respectfully submitted,

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